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TO

Make better provision for the Superannuation of the Officers of Poor Law Unions in Ireland. A.D. 1894.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Poor Law Union Officers (Ireland) Superannuation Act, 1894. Short title.

2. From and after the passing of this Act, the board of guardians of every union in Ireland shall, with the sanction of the Local Government Board for Ireland (in this Act called "the Local Government Board"), grant to any union officer belonging to that union who shall become incapable of discharging the duties of his office with efficiency, by reason of permanent infirmity of mind or body, or of old age, upon his resigning or otherwise ceasing to hold his office, a superannuation allowance, according to the following scale, that is to say:

To any officer who shall have served in some one or more unions in Ireland for *ten years* and upwards, and under *eleven years*, an annual allowance of *ten-sixtieths* of the annual salary and emoluments of his office: Rate of superannuation allowance.

For *eleven years* and under *twelve years*, an annual allowance of *eleven-sixtieths* of such salary and emoluments:

And in like manner a further addition to the annual allowance, of *one-sixtieth* of such annual salary and emoluments in respect of each additional year of such service, until the completion of a period of service of *forty years*, when an annual allowance of *forty-sixtieths* shall be granted, and no addition shall be made in respect of any service beyond *forty years*:

No officer shall be entitled to such allowance on the ground of age who shall not have completed the full age of *sixty years*, and

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Age and period of service.

A.D. 1894. — [shall not have served as a union officer in some one or more unions in Ireland for *twenty years*. But, nevertheless, the board of guardians under which the medical officer shall have last served may declare that the special circumstances of the case justify the grant of a superannuation allowance after a shorter period of service than *twenty years*, and, provided that the Local Government Board for Ireland shall sanction such special grant, such allowance may be made.

Average calculations. For the purposes of this section the annual salary and emoluments of a union officer shall be calculated on the average of the *three years* ending with the quarter-day next before he ceases to hold his office.

Power to grant gratuity in cases of short service. 3. The board of guardians of any union, with the sanction of the Local Government Board, shall grant to any person, being the holder of a union office in the union in respect of which a superannuation allowance might be granted under this Act, who, before the completion of the period which would have entitled him to a superannuation allowance, is compelled to quit the service of the union by reason of severe bodily injury occasioned, without his own default, or by reason of the abolition of his office in consequence of the amalgamation of the union in which he served with any other union, a gratuity not exceeding *three months* pay for every *two years* service, or a superannuation allowance not exceeding *ten-sixtieths* of the annual salary and emoluments of his office; and may, if they think fit, with the like sanction, grant to any such holder of a union office who is compelled from infirmity of mind or body to leave the union service before the completion of the period which would have entitled him to a superannuation allowance, such sum of money as the board may think proper, but so that no such gratuity shall exceed the amount of *one month's* pay for each year of service.

Notice to be given prior to grant of superannuation. 4. No grant of a superannuation allowance or gratuity under this Act shall be made without *one month's* notice, to be specially given in writing to every guardian of the union, of the proposal to make such grant, and the time when it will be brought forward.

Superannuation not to be liable to debts or other liabilities. 5. Every superannuation allowance or gratuity granted under this Act shall be payable to or in trust for the union officer, and shall not be assignable nor chargeable with his debts or other liabilities.

Holders of a superannuation allowance who. 6. In case any person enjoying any superannuation allowance under this Act is appointed to be a union officer in any union, every such allowance shall cease to be paid so long as he continues to

hold such appointment, if the annual amount of the profits of the office to which he is appointed are equal to those of the office formerly held by him, and in case they are not equal to those of his former office, then no more of such superannuation allowance shall be paid him than with the salary of his new appointment shall be equal to that of his former office.

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 frequently appointed to an office in any union.

7. The Local Government Board may, from time to time, by order declare that for the due and efficient discharge of the duties of any union office or class of offices to be specified in such order, professional or other peculiar qualifications are required; and that it is for the interest of the public that persons should be appointed thereto at an age exceeding that at which public service ordinarily begins; and may, by the same or any other order, direct that when any person holding any such office shall retire from the union service, a number of years not exceeding *ten*, to be specified in the order, shall, in computing the amount of superannuation allowance which may be granted to him under this Act, be added to the number of years during which he may have actually served in the aggregate, and it shall be lawful for any union officer to whom this section applies, to retire on the completion of *thirty years* service in one or more unions, provided he gives *one month's* notice in writing of such intention to the board of guardians of the union within which he holds office.

Local Government Board in computing amount of superannuation may add a number of years.

8. All allowances and gratuities payable under this Act shall be advanced from time to time by the board of guardians of the union in which the officer was serving at the time of his ceasing to be a union officer, and shall be repaid to the board of guardians out of the union officers superannuation fund.

Allowances, &c., advanced by boards of guardians.

For the purpose of providing for such repayments the following enactments shall take effect:

Repayment of allowances.

(1.) On or as soon as conveniently may be after the *first day of January* in every year after the passing of this Act, the Local Government Board shall estimate what sum will be necessary for the purposes of this Act during the year.

Local Government Board to estimate the sum necessary.

In making the first of such estimates under this Act, the Local Government Board shall estimate what sum will be necessary for the purposes of this Act during the *whole* period between the *passing of this Act* and the *January* next following the making of the estimate.

The Local Government Board shall in each year, by order under their seal, assess that sum on the *several* unions in proportion to the net annual value of the property therein. They

Assessment of the required sum on the several unions.

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Payment of
the assess-
ment into
the Bank of
Ireland.

shall send copies of the order to the guardians and to the treasurer of each union.

- (2.) Thereupon the treasurer shall, if he has then in his hands to the credit of the guardians sufficient funds, pay the amount so assessed into the Bank of Ireland, and if he has in his hands to the credit of the guardians funds not sufficient for payment in full of the amount so assessed, he shall pay into the Bank of Ireland such balance as he may have in his hands in reduction of the amount so assessed; and in such case, or if he has no funds in his hands to the credit of the guardians, then he shall out of all moneys subsequently received by him on account of the guardians pay the amount assessed into the Bank of Ireland. Moneys paid into the Bank of Ireland under this Act shall be placed to the credit of the Local Government Board, to the account of a fund which shall be called the Union Officers Superannuation Fund.

Power to ap-
portion the
assessment
upon the
electoral
divisions.

The guardians of each union shall debit the several electoral divisions with proportions of the sum assessed upon the union, according to the net annual value of the property in each division.

Boards of
guardians to
furnish an
account to
the Local
Government
Board.

- (3.) On the *twenty-fifth day of March one thousand eight hundred and ninety-five*, and on every *twenty-ninth day of September* and *twenty-fifth day of March* following, the guardians of each union shall furnish to the Local Government Board accounts of the moneys expended by them for superannuation allowances and gratuities payable under this Act since the date of the last preceding account, or, in the case of the accounts furnished on the *twenty-fifth day of March one thousand eight hundred and ninety-five*, since the date of the *passing of this Act*; and the Local Government Board shall pay to the treasurer of the union, out of the union officers superannuation fund, the amount mentioned in the account furnished by the board of guardians of the union when such amount has been found to be correct.

Power to
Local
Government
Board to
decide any
question as
to amount
and value of
emoluments.

9. If any question arises between a board of guardians and a union officer respecting the amount or value of emoluments of the office of such officer, or the correctness of the calculation on which his superannuation allowance or gratuity has been computed, or if, without such question having arisen, the Local Government Board thinks it desirable to do so, the Local Government Board may, either before or after a superannuation allowance or gratuity has been granted to such officer under this Act, inquire and decide as to the amount and value of the emoluments of his office, and as to

the sum which may lawfully be granted to him by way of superannuation allowance or gratuity; and the decision of the Local Government Board as to such amount shall be conclusive.

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10. In this Act the term "union officer" includes every person
 5 appointed by the board of guardians of any union to be a permanent officer of the union under the provisions of the thirty-first section of the Act of the session of Parliament of the first and second years of the reign of Her present Majesty, chapter fifty-six, and the fourth section of the Act of the session of Parliament of the tenth year of
 10 the reign of Her present Majesty, chapter thirty-one, whether such officer is paid by wages, poundage, or per-centage on collection of rates, or by a salary; and also every chaplain of a union, and every medical or surgical officer or compounder of medicine of a union, or of any dispensary district therein; and every person appointed
 15 or constituted as sanitary officer under the eleventh section of the Public Health (Ireland) Act, 1878, or clerk or other officer to the burial board of any district where such burial board is a board of guardians, or clerk or other officer to the local authority acting in execution of the Contagious Diseases (Animals) Act, 1878,
 20 where such person has been so appointed by a board of guardians, or holds his office as a sanitary officer or clerk of the burial board or clerk or other officer of the said local authority by virtue of any other office to which he has been appointed by a board of guardians; and also the registrar of births, deaths, and marriages, and assistant
 25 registrar, when such officer is a union officer, and the superintendent registrar, being also the clerk of the union, or other union officer.

Definition
of the term
"union
officer."

- The term "emoluments" includes all fees, poundage, and other payments made to a union officer for his own use, as such union officer, out of poor rate or sanitary rate or money voted by Parlia-
 30 ment; and also the money value of rations, apartments, and other remuneration appertaining to the office held by such union officer, estimated according to such scale or in such form as the Local Government Board shall prescribe.

Definition of
the term
"emolu-
ments."

11. The Acts specified in the schedule to this Act are hereby
 35 repealed, so far as they relate to the superannuation of any officer who retires from his office after the *passing of this Act*.

Acts
repealed.

- This repeal shall not affect the powers of the board of guardians of any union with reference to the granting of a superannuation allowance under any of the said Acts to an officer who has retired
 40 from his office before the *passing of this Act*; nor anything duly done or suffered, nor any right or liability acquired, accrued, or

A.D. 1894. incurred, under any enactment hereby repealed; and shall not relieve the board of guardians of any union from the obligation to pay any superannuation allowance granted by them under any of the said Acts.

SCHEDULE (referred to in Section 11).

5

Session and Chapter.	Title or Short Title.
28 & 29 Vict. c. 26.	- An Act to provide for superannuation allowances to officers of unions in Ireland.
32 & 33 Vict. c. 50.	- The Medical Officers Superannuation Act (Ireland), 1869.
35 & 36 Vict. c. 89.	- An Act to amend the Act providing superannuation allowances to officers of unions in Ireland.

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Poor Law Union
Officers (Ireland)
Superannuation.

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To make better provision for the Super-
annuation of the Officers of Poor Law
Unions in Ireland.

(Prepared and brought in by
Mr. T. M. Russell, Mr. Curran,
Mr. John McCarty, Mr. John Redmond,
and Mr. Robert Spinkardson.)

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